


PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 69564

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 00-6360-CR-WPD

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

FILED BY: 
2003 OCT 31 PM 3:36
CLERK OF DISTRICT COURT
S.D. OF FLA.-FTL.

Name of Offender: Eduardo Vilaho-Rodriguez

Name of Sentencing Judicial Officer: The Honorable William P. Dimitrouleas, U.S. District Judge, Fort Lauderdale, FL

Date of Original Sentence: February 1, 2002

Original Offense: Knowingly Receiving and Possessing Goods Valued in Excess of \$1000 Which Had Been Stolen and Constituted Interstate Shipment of Freight, 18 U.S.C. § 659, a Class C felony.

Original Sentence: Ten (10) months custody of the Bureau of Prisons followed by three (3) years supervised release with the following special conditions: 1) The defendant shall provide complete access to financial information, including disclosure of all business and personal finances, to the U.S. Probation Officer, 2) At the completion of the defendant's term of imprisonment, the defendant shall be surrendered to the custody of the Immigration and Naturalization Service for deportation proceedings consistent with the Immigration and Nationality Act, 3) If deported, the defendant shall not reenter the United States without the written permission of the Attorney General of the United States. Should the defendant be deported, the term of probation/supervised release shall be non-reporting while he/she is residing outside the United States. If the defendant reenters the United States within the term of probation/supervised release, he is to report to the nearest U.S. Probation Office within 72 hours of his arrival, 4) The defendant is authorized travel outside the Southern District of Florida for business purposes, provided such travel is approved by the U.S. Probation Officer. The defendant shall be required to produce documentation regarding travel and the business conducted at the direction of the probation officer. The defendant was also ordered to pay joint and several restitution in the amount of \$96,480.60. The Court further imposed a \$100.00 assessment.

Type of Supervision: Supervised release

Date Supervision Commenced: November 26, 2002



PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 69564

PAGE 2

NAME OF OFFENDER: Eduardo Vilaho-Rodriguez CASE NUMBER: 00-6360-CR-WPD

PETITIONING THE COURT

- ☐ To extend the term of supervision for __ years, for a total term of __ years.
☒ To modify the conditions of supervision as follows:

The defendant shall pay restitution at the rate of 10% of his gross monthly income per month until such time as the court may alter that payment schedule in the interest of justice. The U.S. Probation Office and the U.S. Attorney's Office shall monitor the payment of restitution and report to the court any material change in the defendant's ability to pay.

CAUSE

The defendant was ordered to pay joint and several restitution in the amount of \$96,480.60. A financial investigation was conducted to determine the defendant's ability to pay. The defendant is currently employed as a interstate truck driver and as such, his monthly income varies from month-to-month. Based on his varying monthly income, the defendant has been making monthly restitution payments at the rate of 10% of his gross monthly income. The defendant has agreed to continue making payments at this rate and has signed a waiver. As such, it is respectfully requested that Your Honor sign the attached petition modifying the conditions of supervised release as indicated above.

Respectfully submitted,

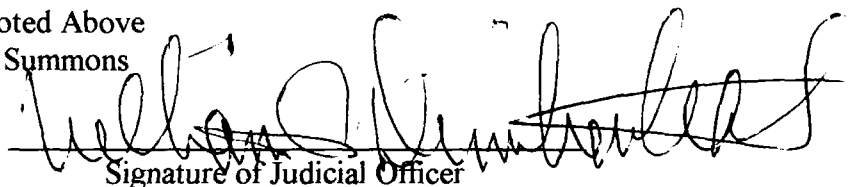
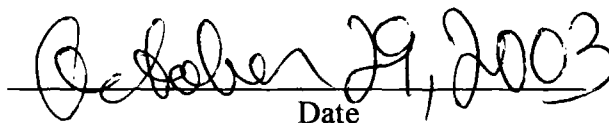
by



Andrew Carmona
U.S. Probation Officer
Phone: 305-808-6414
Date: October 24, 2003

THE COURT ORDERS:

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Submit a Request for _ Warrant or _ Summons


Signature of Judicial Officer
Date

PROB 49
(3/89)

SD/FL PACTS #69564

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

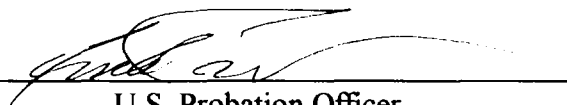
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

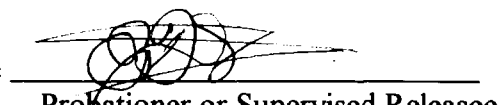
The defendant shall pay restitution at the rate of 10% of his gross monthly income per month until such time as the court may alter that payment schedule in the interests of justice. The U.S. Probation Office and U.S. Attorney's Office shall monitor the payment of restitution and report to the court any material change in the defendant's ability to pay.

Witness:



U.S. Probation Officer
Andrew Carmona

Signed:



Probationer or Supervised Releasee
Eduardo Vilaho Rodriguez

September 8, 2003

Date